

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

SCOTT D. DALESANDRO and DIANNE NOONAN, on behalf of themselves and the certified Class,

Plaintiffs,

V.

INTERNATIONAL PAPER COMPANY,
Defendant

: **Case No. C-1-01-109**
 :
 :
 : **Judge Sandra S. Beckwith**
 :
 :
 :
 : **JOINT SUBMISSION OF**
 : **AMENDED PLEADINGS**
 : **RELATED TO PRELIMINARY**
 : **APPROVAL OF CLASS ACTION**
 : **SETTLEMENT**

On September 21, 2005 the Court held a hearing on the parties' Joint Motion for Preliminary Approval of Class Action Settlement (Doc. #102). Attached to that Joint Motion were certain exhibits which have been amended pursuant to that hearing, and those amended exhibits are attached hereto. Specifically:

Exhibit A, the proposed Order Granting Preliminary Approval of Class Action Settlement, has been amended to include the November 16, 2005, 10:30 a.m. setting for the Fairness Hearing, and the November 1, 2005 deadline for the filing of objections (Order at p. 7).

Exhibit B, the Settlement Agreement, has been revised to clarify the procedural aspects of obtaining a remand from the Circuit Court for the purpose of enabling the District Court to consider the class settlement (Settlement Agreement at §§1.07, 1.08, 3.05), and to set forth the exact figures to be used in calculating the benefits (Id. at §2.11).

Exhibit E, the Notice of Proposed Class Action Settlement, has been amended to include the September 27, 2005 date of mailing (Notice at p. 1), the date, time and place of the Final Fairness Hearing (Id. at pp. 2 & 4), the deadline for filing objections (Id. at p. 5), and to clarify the status and procedural aspects related to the parties' appeals (Id. at p.1, ¶4).

Dated: September 22, 2005

Respectfully submitted,

/s/ Theresa L. Groh

Theresa L. Groh (0029806)
John C. Murdock (0063749)
MURDOCK GOLDENBERG SCHNEIDER
& GROH, LPA
35 East Seventh Street, Suite 600
Cincinnati, Ohio 45202-2446
Phone: 513-345-8291
Fax: 513-345-8294

**Attorneys for Plaintiffs and
the Certified Class**

/s/ Grant S. Cowan

Grant S. Cowan (0029667)
FROST BROWN TODD LLC
2200 PNC Center
201 East Fifth Street
Cincinnati, Ohio 45202-4182
Phone: 513-651-6800
Fax: 513- 651-6981

W. Carter Younger (VSB #01147)
(Admitted Pro Hac Vice)
James P. McElligott, Jr. (VSB #14109)
MCGUIRE WOODS LLP
One James Center
Richmond, Virginia 23219
Phone: 804-775-4363
Fax: 804-698-2214

Attorneys for Defendant